

# TOWN OF DARIEN PLANNING AND ZONING COMMISSION APPLICATION FORM

*Application is hereby submitted for approval in accordance with the following Sections of the Darien Zoning Regulations (check all that apply).*

- |  |   |
|--|---|
| <input type="checkbox"/> Section 810 Coastal Site Plan Review                        | <input type="checkbox"/> Section 1000 Special Permit Requirements |
| <input type="checkbox"/> Section 820 Flood Damage Prevention                         | <input type="checkbox"/> Section 1020 Site Plan Requirements      |
| <input type="checkbox"/> Section 850 Land Filling, Excavation<br>and Earth Removal   | <input type="checkbox"/> Section 1051 Protected Town Landmarks    |
| <input type="checkbox"/> Section 1110 Change of Zoning Regulations and/or Zoning Map | <input type="checkbox"/> Subdivision Application                  |
| <input type="checkbox"/> Other (specify) _____                                       |   |

## **Property Location:**

Street Address: \_\_\_\_\_

Assessor's Map(s) # \_\_\_\_\_ as Lot(s) # \_\_\_\_\_

Subject property is situated on the \_\_\_\_\_ side of \_\_\_\_\_ (street)  
approximately \_\_\_\_\_ feet \_\_\_\_\_ from the corner formed by the intersection of  
\_\_\_\_\_ and \_\_\_\_\_ (streets).

Zoning District(s): \_\_\_\_\_ Size of Site: \_\_\_\_\_ square feet, \_\_\_\_\_ acres

The subject property ☐ is ☐ is not ☐ as a result of this project will become  
tied into the Town sanitary sewer system.

The subject property ☐ is ☐ is not ☐ as a result of this project will become  
tied into the public water system (Aquarion Water Co.).

The subject property ☐ is ☐ is not within 500 feet of an adjoining municipality.

## **Applicant:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone #: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Signature: \_\_\_\_\_

## **Property Owner:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone #: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Signature: \_\_\_\_\_

DARIEN PLANNING AND ZONING COMMISSION  
ZONING APPLICATION FORM  
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**Representative or Contact Person** (to whom all correspondence shall be addressed)

Name: \_\_\_\_\_

Company/Firm: \_\_\_\_\_ Phone #: \_\_\_\_\_

Address: \_\_\_\_\_

Email address: \_\_\_\_\_

Signature: R. F. Marlauf

Summary of proposed activity and development:

\_\_\_\_\_  
\_\_\_\_\_

(A more detailed explanation should be attached to this application).

***Application Fee of*** \_\_\_\_\_

See Appendix B - Schedule of Fees of Darien Zoning Regulations.

Make checks payable to the "Town of Darien". Cash is not accepted.

See requirements under Section 1040 for the applicant's responsibility regarding notification of nearby property owners.

Unless specifically waived in advance and in writing by the Planning & Zoning Director, all required materials must be submitted as part of this application:

*For Business Site Plan applications under Section 1020:*

See Section 1020 of the Darien Zoning Regulations

*For Subdivision Applications see the Darien Subdivision Regulations*

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The following information is required:

*Development Plan(s) completed in accordance with "Site Plan Checklist" –  
Twelve (12) Sets of Plans including:*

	<b>Submitted</b>	<b>Waived</b>
Existing Conditions based on "A-2" Survey	<input type="checkbox"/>	<input type="checkbox"/>
Site Development Plan	<input type="checkbox"/>	<input type="checkbox"/>
Grading and Storm Drainage Management Plan	<input type="checkbox"/>	<input type="checkbox"/>
Computations and Analysis of Stormwater Runoff	<input type="checkbox"/>	<input type="checkbox"/>
Landscaping Plan	<input type="checkbox"/>	<input type="checkbox"/>
Architectural Floor Plans and Elevations	<input type="checkbox"/>	<input type="checkbox"/>
Utility Plans	<input type="checkbox"/>	<input type="checkbox"/>
Chart or Table of Zoning Data	<input type="checkbox"/>	<input type="checkbox"/>
Soil Erosion and Sedimentation Control Plan	<input type="checkbox"/>	<input type="checkbox"/>
Staging or Phasing Plan	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
<i>For Coastal Site Plan Reviews under Section 810 of the Zoning Regulations:</i>		
Base Map showing regulated area(s)	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Assessment Report	<input type="checkbox"/>	<input type="checkbox"/>
Review of CAM policies & goals	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
<i>For Flood Damage Prevention Applications under Section 820 of the Zoning Regulations:</i>		
Base Map of Flood Zones and Elevations	<input type="checkbox"/>	<input type="checkbox"/>
Architectural Floor Plans including elevation of each floor level within the structure	<input type="checkbox"/>	<input type="checkbox"/>
Engineering Report and certification regarding impact on flood conditions	<input type="checkbox"/>	<input type="checkbox"/>
Engineering Report and certification regarding structural stability	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
<i>For Land Filling &amp; Regrading Applications under Section 850 of the Zoning Regulations:</i>		
Detailed Plans of Existing and Proposed Conditions	<input type="checkbox"/>	<input type="checkbox"/>
Report Detailing Operation methods, and Evaluating Impacts	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
<i>For Special Permit Applications under Section 1000 of the Zoning Regulations:</i>		
Detailed Statement of Existing & Proposed Uses	<input type="checkbox"/>	<input type="checkbox"/>
Traffic Report addressing Trip Generation, Traffic Movement and Parking Requirements	<input type="checkbox"/>	<input type="checkbox"/>

**APPLICATION OF  
BAYWATER HOUSING PARTNERS, LLC**

**26 EAST LANE**

**MAY 25, 2018**

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**APPLICATION INDEX**

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Deed to Property Owner/Applicant	A-5 to A-7
Owner's Authorization Letter	A-8
<p>Additional Submissions:</p> <p>Environmental Assessment prepared by Environmental Land Solutions, LLC</p> <p>Traffic Impact Assessment prepared by Tighe &amp; Bond</p> <p>Engineering Report prepared by Tighe &amp; Bond</p> <p>Regulatory Approval Submission Set containing the following:</p> <p>Site Plans</p> <p>Landscape Plan</p> <p>Architectural Plans</p> <p>(3 full size sets and 10 reduced copies)</p> <p>Existing Conditions Survey prepared by William W. Seymour &amp; Associates, P.C. (3 full size and 10 reduced copies)</p> <p>Proposed Zoning Location Survey prepared by William W. Seymour &amp; Associates, P.C. (3 full size and 10 reduced copies)</p>	

**APPLICATION OF**  
**BAYWATER HOUSING PARTNERS, LLC**  
**26 EAST LANE**

**MAY 25, 2018**

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**NARRATIVE**

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The Applicant, Baywater Housing Partners, LLC ("Baywater"), is the record owner of the property at 26 East Lane (the "Subject Property"), in the R-1/2 Residence Zone. Baywater proposes redevelop the site under the proposed Special Needs/Elderly Housing Overlay Zone, by demolishing the existing buildings on the site, and building two, six unit homes for persons with special needs and/or income limited elderly persons. The project will comply with the proposed regulations that would create a new Special Needs/Elderly Housing Overlay Zone. The proposed development will require a special permit, business site plan review, and an excavation and filling permit from the Planning and Zoning Commission, a permit to conduct regulated activities from the Environmental Protection Commission, and Architectural Review Board approval. Contemporaneous applications are being filed with the Environmental Protection Commission and Architectural Review Board.

The Subject Property consists of 0.9045 acres, bounded on the west by Interstate 95, on the north by 22 Wakeman Road, on the east by 150 Old Kings Highway North, and on the south by 28 East Lane. The existing site consists of an existing single-family residence, a detached daycare facility, and driveways, lawn, and perimeter trees and lightly wooded overgrowth. A vegetated buffer and a sound barrier are located along the Interstate 95 boundary. An inland wetland area is located off the site to the north, and a few feet of the adjacent upland review area extends into the northern portion of the site. The site is serviced by public sewer, water and other utilities. The residence and day care facility are unoccupied.

There is no existing stormwater management system on or immediately adjacent to the Subject Property. Runoff in the northern section of the site drains overland towards 22 Wakeman Road to the off-site wetland area. Runoff in the southern section of the site flows either overland through 150 Old Kings Highway property or down the existing driveway toward East Lane, where it currently ponds at the end of the cul-de-sac prior to overflowing under the sound barrier toward a drainage structure along the Interstate 95 northbound on-ramp.

The Applicant proposes to build two new six-unit residential buildings, concrete sidewalks, on-grade parking, site utilities, and an on-site stormwater management system. The proposed design includes 12 parking spaces and the site

will be approximately 35% impervious. The site will continue to be served by public water, sewer and power. Compared with the prior child day care facility, the proposed development will not result in an appreciable increase in traffic.

Details of the proposed development are set forth in the accompanying Engineering Report, and separate Traffic Impact Assessment, both prepared by Tighe & Bond. The accompanying Environmental Assessment addresses the environmental issues.

The use of the Subject Property will be deed restricted for occupancy by special needs adults and income limited elderly persons. The Town Plan of Conservation and Development contains several specific recommendations that the Planning and Zoning Commission consider ways of increasing housing opportunities for persons with special needs and income limited elderly persons. These recommendations are cited in Baywater's pending application to amend the Zoning Regulations by creating a new Special Needs/Elderly Housing Overlay Zone. If the Planning and Zoning Commission adopts the new overlay zone regulation, the proposed project will comply with the proposed regulations.

Each two-story residence will contain six studio apartments with kitchens, a community room and a staff office for use by a small staff that must be present. The floor area of each apartment is less than 500 square feet. The residences will appear as single-family residences.

Baywater is proposing this project to create low cost housing for special needs adults, whose income will qualify them for affordable housing. Special needs services will be provided by qualified agencies who operate group homes and other facilities for persons with special needs. There is a need for such housing in Darien, and a good example of one such residence is the Cottage in Noroton Heights. Alternatively, the proposed development can provide housing opportunities for elderly person whose income qualifies them for affordable housing.

Finally, Baywater is proposing this project to provide required affordable housing under the Darien Inclusionary Zoning regulation, to satisfy the affordable housing requirement for the pending Corbin Subarea project.

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This project will provide a unique housing opportunity for the special needs and/or elderly population in Darien and neighboring areas.



## Map Of Properties Within 100 Feet of Subect Property



## Property Information

Property ID 06562  
Location 26 EAST LANE  
Owner BAYWATER HOUSING PARTNERS LLC

MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT

Town of Darien, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 10/1/2017  
Properties updated 10/1/2017

**APPLICATION OF  
BAYWATER HOUSING PARTNERS, LLC  
FOR  
26 EAST LANE  
MAY 23, 2018**

**LIST OF NEIGHBORING PROPERTY OWNERS**

Map 32 Lot 24	James J Haranzo Kathleen Haranzo 28 East Lane Darien, CT 06820
Map 32 Lot 30B	Richard P Montesano Jennifer R Montesano 22 Wakeman Road Darien, CT 06820
Map 32 Lot 26	Edward C Piorkowski Jr Catherine L Piorkowski 152 Old Kings Highway North Darien, CT 06820
Map 32 Lot 25	Travis K Wright Erin Wright 150 Old Kings Highway North Darien, CT 06820



Please Return To:  
 Shipman & Goodwin, LLP  
 Attn: Donald Gustafson, Esq.  
 300 Atlantic Street  
 Stamford, CT 06901

**LIMITED WARRANTY DEED**

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING:

32/23  
 KNOW YE THAT, **HOME LOAN INVESTMENT BANK, F.S.B.**, a federally chartered saving bank and whose mailing address is One Home Loan Plaza, Warwick, Rhode Island 02886 (the "Grantor"), for the consideration of Nine Hundred and Twenty Thousand Dollars AND 00/100 (\$920,000.00 ), received to its full satisfaction of **BAYWATER HOUSING PARTNERS, LLC**, a Connecticut limited liability company, with an address of 1019 Boston Post Road, Darien, Connecticut 06820 (the "Grantee"), does give, grant, bargain, sell and confirm unto the said **BAYWATER HOUSING PARTNERS, LLC**, its successors and assigns forever, the following property:

26 East Lane, Darien, Connecticut, as more particularly described on Schedule A attached hereto and made a part hereof.

Said premises are subject to:

1. Any and all provisions of any ordinance, municipal regulation, or public or private law.
2. Real Estate Taxes on the List of October 1, 2015 due and payable to the Town of Darien, which taxes the Grantees herein assume and agree to pay as part consideration for this deed; and
3. Terms, conditions and reservations as set forth in a certain quit claim deed from the State of Connecticut to Henry L. Baccus and Faye W. Baccus dated September 22, 1964 and recorded in the Darien Land Records in Book 254 at Page 73.


TO HAVE AND TO HOLD the above granted and bargained premises with the appurtenances thereof, unto it the said Grantee, and its successors and assigns forever.

AND THE SAID GRANTOR, does for itself and its successors, hereby covenants with the said Grantee, its successors and assigns, that it, as Grantor, has full power and authority as Grantor to grant and convey the property in the manner and form as aforesaid and for itself, its successors and assigns, does further covenant to warrant and defend the same to the said Grantee, its successors, heirs and assigns against the lawful claims of any person whatsoever claiming by, from, or under it as Grantor, but against no other.


Conveyance  
 State \$ 7500.00 Town \$ 2300.00  
*Donna E. Rayzewski*  
 Darien Town Clerk

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal this 27<sup>th</sup> day of March, 2017.

Home Loan Investment  
Bank, F.S.B.

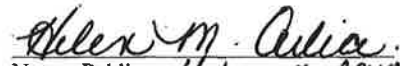
  
Witness

  
Witness

By:   
Brian J. Murphy,  
Chairman/ CEO

STATE OF RHODE ISLAND  
COUNTY OF KENT

In Warwick, in said County, on the 27 day of March, 2017, before me personally appeared Brian J. Murphy, President of the Home Loan Investment Bank, F.S.B., to me known and known by me to be the person executing the foregoing instrument, and he acknowledged said instrument by him executed to be his free act and deed in said capacity and the free act and deed of Home Loan Investment Bank, F.S.B.

  
Notary Public: Helen M. Arlin  
My commission expires: 03/08/2020  
#49443

## SCHEDULE A, PROPERTY DESCRIPTION

All that certain piece, parcel or tract of land, containing in area .905 of an acre, together with the buildings and improvements thereon, situated in the Town of Darien, County of Fairfield and State of Connecticut, shown and delineated on a certain map entitled "Map Showing Survey or Property Owned by Henry L. Baccus and Paye W. Baccus, at Darien, Connecticut, Total Area = 0.905 Ac.", which map is on file in the Office of the Town Clerk of the said Town of Darien as the Map Numbered 3345, reference thereto being had. Said premises are bounded:

Northeasterly: 231.91 feet by land of the State of Connecticut;

Southerly: 171.44 feet by land now or formerly of Christopher W. Skinner and Olive Crofoot Skinner and land now or formerly of Frederick H. Mehlin, each in part;

Easterly: 85.00 feet by land now or formerly of Frederick H. Mehlin; and again

Southerly: 175.00 feet by land now or formerly of George Herman and Margaret M. Herman;

Westerly: 50.21 feet by East Lane; and

Northwesterly: 251.85 feet by land of said State of Connecticut.

Received for record MAR 31 2017 @ 2:08 PM  
Attest Donna E. Papaschi  
TOWN CLERK

BAYWATER HOUSING PARTNERS, LLC  
1019 BOSTON POST ROAD  
DARIEN, CT 06820

May 22, 2018

Town of Darien  
Planning and Zoning Commission  
2 Renshaw Road  
Darien, CT 06820

**RE: Petition to Amend Darien Zoning Regulations  
Proposed Adoption of New Special Needs/Elderly  
Housing Overlay Zone**

Dear Ladies and Gentlemen:

As the applicant in the above-referenced Petition, we hereby authorize the law firm of Maslan Associates P.C. and its attorneys to file any and all applications related to the property.

Thank you.

Very truly yours,

BAYWATER HOUSING PARTNERS, LLC

By:   
Duly Authorized